

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAVIER GARCIA-HERNANDEZ,

Defendant.

4:10-CR-3126

ORDER

For the reasons stated in the Federal Public Defender's motion to withdraw (filing 228) and the Probation Office's retroactive sentencing worksheet (filing 225), the defendant is not eligible for a sentence reduction pursuant to [U.S.S.G. Amend. 821](#), made retroactive by [U.S.S.G. Amend. 825](#). Specifically, reducing the defendant's "status points" leaves his criminal history category and guidelines sentencing range unchanged. Accordingly,

IT IS ORDERED:

1. The Federal Public Defender's motion to withdraw (filing 228) is granted.
2. The defendant's *pro se* motion to reduce sentence (filing 220) is denied.
3. The Clerk of the Court shall provide a copy of this order to the defendant at the defendant's last known address.

Dated this 10th day of March, 2025.

BY THE COURT:



John M. Gerrard

Senior United States District Judge